

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. R5-2004-0046

REQUIRING THE UNITED STATES AIR FORCE, BEALE AIR FORCE BASE  
WASTEWATER TREATMENT PLANT  
TO CEASE AND DESIST

FROM DISCHARGING CONTRARY TO REQUIREMENTS

The California Regional Water Quality Control Board, Central Valley Region (hereafter referred to as Regional Board), finds:

1. On 23 April 2004, the Regional Board adopted Waste Discharge Requirements Order No. R5-2004-0045, for the United States Air Force, Beale Air Force Base Wastewater Treatment Plant (hereafter Discharger). Waste Discharge Requirements Order No. R5-2004-0045 regulates the discharge of 5.0 million gallons per day (mgd) of treated domestic wastewater to Hutchinson Creek, which is tributary to the Western Pacific Interceptor Drainage Canal, the Bear River, and the Feather River.
2. Waste Discharge Requirements Order No. R5-2004-0045, includes Effluent Limitations for methylene blue active substances (MBAS), iron, oil and grease, total petroleum hydrocarbons, aluminum, nitrate, and nitrite as contained in Section C.1, which reads in part as follows:

“1. Effluent from the wastewater treatment plant shall not exceed the following limits (from adoption until **1 April 2009**):

| <u>Constituents</u>                     | <u>Units</u>         | <u>Monthly Average</u> | <u>Daily Maximum</u> |  |
|---|----------------------|------------------------|----------------------|--|
| Methylene Blue Active Substances (MBAS) | µg/l                 | 500                    | 1,000                |  |
|   | lbs/day <sup>1</sup> | 20.9                   | 41.7                 |  |
| Iron                                    | µg/l                 | 300                    | --                   |  |
| (Total Recoverable)                     | lbs/day <sup>1</sup> | 12.5                   | --                   |  |
| Oil and Grease                          | mg/l                 | 10                     | 15                   |  |
|   | lbs/day <sup>1</sup> | 417.3                  | 625.9                |  |
| Total Petroleum Hydrocarbons            | µg/l                 | 5.0                    | --                   |  |
|   | lbs/day <sup>1</sup> | 0.209                  | --                   |  |

<sup>1</sup> Based upon a design treatment capacity of 5.0 mgd.

CEASE AND DESIST ORDER NO. R5-2004-0046  
THE UNITED STATES AIR FORCE, BEALE AIR FORCE BASE  
WASTEWATER TREATMENT PLANT  
YUBA COUNTY

2

| <u>Constituents</u>   | <u>Units</u>         | <u>Monthly Average</u> | <u>Daily Maximum</u> |
|-----------------------|----------------------|------------------------|----------------------|
| Aluminum <sup>2</sup> | µg/l                 | 71                     | 143                  |
| (Total Recoverable)   | lbs/day <sup>1</sup> | 3.0                    | 6.0                  |
| Nitrate               | µg/l                 | 10,000                 | --                   |
|                       | lbs/day <sup>1</sup> | 417                    | --                   |
| Nitrite               | µg/l                 | 1,000                  | --                   |
|                       | lbs/day <sup>1</sup> | 41.7                   | --                   |

<sup>1</sup> Based upon a design treatment capacity of 5.0 mgd.

<sup>2</sup> Compliance can be demonstrated using either total, or acid-soluble (inductively coupled plasma/atomic emission spectrometry or inductively coupled plasma/mass spectrometry) analysis methods.”

- Based on sampling submitted by the Discharger, The Discharger currently cannot consistently comply with the Effluent Limitations for methylene blue active substances (MBAS), iron, oil and grease, total petroleum hydrocarbons, aluminum, nitrate, and nitrite contained in the Waste Discharge Requirements Order No. R5-2004-0045.
- Based on the above Findings, this discharge represents a threatened discharge of waste in violation of the Effluent Limitations for methylene blue active substances (MBAS), iron, oil and grease, total petroleum hydrocarbons, aluminum, nitrate, and nitrite included in Waste Discharge Requirements Order No. R5-2004-0045.
- In accordance with California Water Code (CWC) Section 13385 (j)(3), the Regional Board finds that, based upon the current condition of the wastewater treatment plant, the Discharger is not able to consistently comply with total petroleum hydrocarbons, aluminum, iron, nitrate, and nitrite limitations. The total petroleum hydrocarbons, aluminum, iron, nitrate, and nitrite Effluent Limitations are new requirements that become applicable to the permit after the effective date of adoption of the waste discharge requirements, and after 1 July 2000, for which new or modified control measures are necessary in order to comply with the limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.

Source control and treatment actions can be taken to correct the violations that would otherwise be subject to mandatory penalties under California Water Code section 13385(h) and (i), and the Discharger can take reasonable measures to achieve compliance within five (5) years from the date the waste discharge requirements were required to be reviewed pursuant to Section 13380.

California Water Code (CWC) Section 13385 (j)(3) requires the Discharger to prepare and implement a pollution prevention plan pursuant to Section 13263.3 of the California Water

Code. A pollution prevention plan addresses only those constituents that can be effectively reduced by source control measures. Total petroleum hydrocarbons, aluminum, iron, nitrate, and nitrite can be reduced significantly through source control measures.

Compliance with this Order exempts the Discharger from mandatory minimum penalties through 1 April 2009 for violations of total petroleum hydrocarbons, aluminum, iron, nitrate, and nitrite limitations only, in accordance with California Water Code (CWC) Section 13385 (j)(3).

Compliance with this Order does not exempt the Discharger from mandatory minimum penalties for violations of oil and grease and methylene blue active substances (MBAS) effluent limitations.

6. On 23 April 2004, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Regional Board conducted a public hearing at which evidence was received to consider a Cease and Desist Order to establish a time schedule to achieve compliance with waste discharge requirements.
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Section 15321 (a)(2), Title 14, California Code of Regulations.
8. Any person adversely affected by this action of the Regional Board may petition the State CA 95812-0100, within 30 days of the date in which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

**IT IS HEREBY ORDERED THAT:**

1. The United States Air Force, Beale Air Force Base Wastewater Treatment Plant shall cease and desist from discharging, and threatening to discharge, contrary to Waste Discharge Requirements Order No. R5-2004-0045, Effluent Limitation No.1 for methylene blue active substances (MBAS), iron, oil and grease, total petroleum hydrocarbons, aluminum, nitrate, and nitrite.
2. The United States Air Force, Beale Air Force Base shall comply with the following time schedule to assure compliance with methylene blue active substances (MBAS), iron, oil and grease, total petroleum hydrocarbons, aluminum, nitrate, and nitrite Effluent Limitations contained in Waste Discharge Requirements Order No. R5-2004-0045 as described in the above Findings:

CEASE AND DESIST ORDER NO. R5-2004-0046  
THE UNITED STATES AIR FORCE, BEALE AIR FORCE BASE  
WASTEWATER TREATMENT PLANT  
YUBA COUNTY

4

| <u>Task</u>  | <u>Compliance Date</u>      |
|--|-----------------------------|
| Submit a Workplan to Achieve Compliance <sup>1</sup> | <b>1 December 2004</b>      |
| Submit Progress Report <sup>2</sup>                  | <b>1 December, annually</b> |
| Pollution Prevention Plan                            | <b>1 July 2005</b>          |
| Achieve Full Compliance                              | <b>1 April 2009</b>         |

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<sup>1</sup> The Workplan shall include the Implementation Schedule to achieve compliance with waste discharge requirements.

<sup>2</sup> The Progress Report shall detail what steps have been implemented towards achieving compliance with waste discharge requirements, including construction progress, evaluate the effectiveness of the implemented measures and assess whether additional measures are necessary to meet the time schedule.

3. If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may apply to the Attorney General for judicial enforcement or issue a complaint for Administrative Civil Liability.

I, THOMAS R. PINKOS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 23 April 2004.

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THOMAS R. PINKOS, Executive Officer